

O'HALLERAN FLOOR AMENDMENT

SENATE AMENDMENTS TO H.B. 2365

(Reference to House engrossed bill)

1   Page 2, between lines 6 and 7, insert:

2                 "Sec. 2. Section 36-2220, Arizona Revised Statutes, is amended to  
3                 read:

4                 36-2220. Records; confidentiality; definition

5                 A. Information developed, ~~and~~ records kept AND DATA COLLECTED by the  
6                 department or a political subdivision of this state for the purpose of  
7                 administering or evaluating the Arizona emergency medical services system or  
8                 for the trauma system are available to the public except:

9                 1. Any patient record including clinical records, prehospital care  
10                 records, medical reports, laboratory statements and reports, any file, film,  
11                 record or report or oral statement relating to diagnostic findings, treatment  
12                 or outcome of patients, whether written or recorded, and any information from  
13                 which a patient, the patient's family or the patient's health care provider  
14                 or facility might be identified except records, files and information shall  
15                 be available to the patient, the patient's guardian or the patient's agent.

16                 2. Information obtained AND DATA COLLECTED for purposes of chapter 25  
17                 or chapter 4, article 5 of this title.

18                 B. Unless otherwise provided by law, all medical records developed and  
19                 kept by a prehospital component of the statewide trauma system and  
20                 information contained in these records are confidential and may not be  
21                 released to the public without written authorization by the patient, the  
22                 patient's guardian or the patient's agent.

23                 C. Notwithstanding subsection B of this section, a prehospital  
24                 incident history report completed and kept by a nonhospital political  
25                 subdivision of this state is available to the public except for information  
26                 in that report that is protected from disclosure by the laws of this state or  
27                 federal law including but not limited to confidential patient treatment  
28                 information.

D. Patient records and medical records covered by this section may be obtained pursuant to section 12-2294.01.

E. Information, documents and records received by the department or prepared by the department in connection with an investigation that is conducted pursuant to this article AND that relates to emergency medical technicians are confidential and are not subject to public inspection or civil discovery. ~~When the investigation has been completed and the investigation file has been closed,~~ The results of the investigation and the decision of the department ~~shall be~~ ARE available to the public AFTER THE INVESTIGATION IS COMPLETED AND THE INVESTIGATION FILE IS CLOSED.

F. For the purposes of this section, "prehospital incident history report" means a record of the prehospital response, nature of the incident and transportation of an emergency medical services patient that is documented on a prehospital incident history report.

Sec. 3. Section 36-2221, Arizona Revised Statutes, is amended to read:

36-2221. Requirements; confidentiality; violation; classification

A. Trauma centers shall submit to the department a uniform data set for the trauma patient as prescribed by the department. Advanced life support base hospitals that are not trauma centers may also submit this data to the department. The director shall identify the categories of patients who are to be reported as trauma patients under this section.

B. The department shall provide quarterly trauma system data reports to each hospital AND DESIGNATED TRAUMA CENTER submitting data.

C. THE DEPARTMENT MAY AUTHORIZE OTHER PERSONS AND ORGANIZATIONS TO USE STATE TRAUMA REGISTRY DATA:

- ## **1. TO STUDY THE SOURCES AND CAUSES OF TRAUMA.**

2. TO EVALUATE THE COST, QUALITY, EFFICACY AND APPROPRIATENESS OF DIAGNOSTIC, THERAPEUTIC, REHABILITATIVE AND PREVENTIVE SERVICES AND PROGRAMS THAT ARE RELATED TO TRAUMA.

D. INFORMATION COLLECTED BY THE STATE TRAUMA REGISTRY THAT CAN IDENTIFY AN INDIVIDUAL IS CONFIDENTIAL AND MAY BE USED ONLY PURSUANT TO THIS

1 SECTION. A PERSON WHO DISCLOSES CONFIDENTIAL INFORMATION IN VIOLATION OF  
2 THIS SECTION IS GUILTY OF A CLASS 3 MISDEMEANOR.

3 Sec. 4. Section 36-2222, Arizona Revised Statutes, is amended to read:

4 36-2222. Trauma advisory board; membership; compensation;  
5 duties

6 A. The trauma advisory board is established and consists of the  
7 following members:

8 1. The medical director of the ~~office~~ BUREAU of emergency medical  
9 services who shall chair the board.

10 2. The director of the department of public safety or the director's  
11 designee.

12 3. Four members representing the four regional emergency medical  
13 services coordinating councils.

14 4. Two members from trauma centers in this state.

15 5. A representative from a statewide organization representing a  
16 national college of surgeons that is a recognized, authoritative body  
17 representing national trauma services standards.

18 6. A representative from a statewide fire district association.

19 7. A representative from a statewide hospital association.

20 8. A representative from a federal Indian health services  
21 organization.

22 9. A representative from a national organization of emergency  
23 physicians that is a recognized, authoritative body representing national  
24 emergency medicine standards.

25 10. A representative from a national association of retired persons.

26 11. A representative from a statewide rehabilitation facility ~~that is~~  
27 ~~accredited by a national commission on the accreditation of rehabilitation~~  
28 ~~facilities~~.

29 12. A representative from an urban advanced life support base hospital  
30 that is not a trauma center.

31 13. A representative from a rural advanced life support base hospital  
32 that is not a trauma center.

1           14. A representative from a statewide ambulance association.

2           15. A representative from a fire department in a county with a  
3 population of five hundred thousand persons or more according to the most  
4 recent United States decennial census.

5           16. A representative of a tribal health organization.

6           17. A REPRESENTATIVE FROM A STATEWIDE NEUROSURGICAL SOCIETY.

7           18. A REPRESENTATIVE FROM A STATEWIDE PEDIATRIC ORGANIZATION.

8           19. A REPRESENTATIVE FROM A SOCIETY OF TRAUMA NURSES.

9           20. A REPRESENTATIVE FROM A NATIONAL ASSOCIATION OF ORTHOPEDIC TRAUMA.

10          B. Except for board members who serve under subsection A, paragraphs 1  
11 and 2 of this section, board members are appointed by the director and serve  
12 staggered three year terms.

13          C. The director shall accept recommendations for appointment of board  
14 members from organizations representing consumers, insurers and governmental  
15 agencies that have an interest in the development of a statewide trauma  
16 system including statewide chapters of a national trauma society, a national  
17 emergency medical nurses association, a medical association and an  
18 aeromedical association. Wherever appropriate to the entity being  
19 represented, the director shall consider qualified licensed physicians with  
20 experience in trauma care in anesthesia, emergency medicine, neurosurgery,  
21 orthopedics and pediatrics, and licensed nurses with experience in  
22 prehospital emergency care or trauma care.

23          D. Board members are not eligible to receive compensation but are  
24 eligible for reimbursement of expenses under title 38, chapter 4, article 2.

25          E. The board shall:

26           1. Make recommendations on the initial and long-term processes for the  
27 verification and designation of trauma center levels, including the  
28 evaluation of trauma center criteria.

29           2. Make recommendations on the development and implementation of  
30 comprehensive regional emergency medical services and trauma system plans.

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1           3. Make recommendations on the state emergency medical services and  
2           trauma system quality improvement processes, including the state trauma  
3           registry.

4           4. Submit a report to the director on or before October 1 of each year  
5           regarding the board's accomplishments and recommendations.

6           F. The chairperson may appoint subcommittees to assist the board in  
7           meeting the requirements of subsection E of this section."

8         Renumber to conform

9         Amend title to conform

4/9/08  
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